

MINUTES OF THE TOWN OF FLORENCE REGULAR MEETING OF THE FLORENCE TOWN COUNCIL HELD ON MONDAY, NOVEMBER 2, 2020, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

Notice is hereby given that seating is limited for the public to attend in-person due to social distancing requirements. Please remember masks are required for in-person attendance.

SPECIAL NOTICE REGARDING PUBLIC MEETINGS

Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the Town of Florence has authorized attendance through technological means. In reliance on, and in compliance with, the March 13, 2020 Opinion issued by Attorney General Mark Brnovich, and in conjunction with the Emergency Proclamation signed by Mayor Tara Walter, on March 18, 2020. The Town of Florence provides this special advance notice of the technological means through which public meetings may be accessed. Public wishing to provide comment at the meeting should contact the Town Clerk in by 5:00 p.m. the day of the meeting.

The agenda for this meeting is as follows:

CALL TO ORDER

Mayor Walter called the meeting to order at 6:00 pm.

ROLL CALL:

Present: Tara Walter, John Anderson, Karen Wall, Kristen Larsen, Michelle Cordes

Absent: Judy Hughes

MOMENT OF SILENCE

Mayor Walter called for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Walter led the Pledge of Allegiance.

CALL TO THE PUBLIC

Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

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There were no public comments.

PRESENTATIONS

Presentation of the LUCAS CPR Device.

Mr. David Strayer, Fire Chief, stated that the LUCAS 3 Chest Compression System was received due to a competitive COVID grant.

Mr. James Walter, Battalion Chief, provided a presentation in which he outlined the following:

- Acquired through a COVID 19 Arizona Emergency Medical System (AEMS) Grant
 - Needed piece of equipment during pandemic
 - Same manufacture as their cardiac monitors and other equipment that is on the vehicles
 - Only equipment that is FAA approved
 - Recognized from the Arizona Department of Health that is approved to be used during the pandemic.
 - Response is different for Florence's Fire Department due to the correctional facilities.
- Designed to help improve outcomes of sudden cardiac arrest victims.
- Improve safety and operations for medical responders.
 - Removes responder from being near the airway
 - Helps prevent the spread of Covid
- Can be deployed quickly with minimal interruption to patient care.
- Data-Enabled
 - Bluetooth® connectivity and Wi-Fi enabled
 - Easy to pair with PC/Windows®
 - LUCAS Report Generator software
 - Generates report that can be compared with the patient care chart.
 - Post-event performance reports for review
- LUCAS Report Generator
 - Review LUCAS device performance data at the end of the case or shift
 - Device summary, timeline, and event log
 - LUCAS chest compression statistics, pauses, user modes and device alarms and alerts

Additional Features

- Device Summary
 - Quick glance dials of ratio and rate
 - Compression and pause data
- Time Graph
 - Timeline from first LUCAS device compression to last
 - Pauses automatically highlighted
- Event Log
 - Insight into user interaction, device operational mode, battery information and any alarms

- Performs 102 compressions per minute with a depth of 2.1"
 - Performs 85% better than if a person is doing it
 - Fire Crew Assignments
 - Captain/Paramedic – Supervises, directs and documents
 - Engineer/Paramedic – Intubates and administers drugs
 - Firefighter 1 – Applies artificial respirations utilizing bag/valve mask
 - Firefighter 2 – Provides initial chest compressions, applies Lucas device, assists with IV and other functions as assigned
- Acquired through a COVID 19 Arizona Emergency Medical System (AEMS) Grant
 - The Florence Fire and Medical Department wishes to express its appreciation to AEMS for this generous grant and their ongoing support of EMS in Florence and throughout Arizona.

Councilmember Wall inquired if the patient holds onto the device. The picture presented to Council appears that this is the case.

Battalion Chief Walter stated that by placing the arms in the position depicted in the picture, along with the straps, holds the device in place.

Vice-Mayor Anderson inquired how many devices will the Town get. He inquired how much each unit costs.

Battalion Chief Walter stated that the Town will receive one device and it will be on the rescue truck. This is the unit that responds to the correctional facilities. It would be ideal to have them on the other vehicles; however, the cost is approximately \$16,000 per unit. They come with one extra battery and a battery charger. There is discussion on how the Town could obtain more devices.

Mayor Walter inquired if some of the CARES Act funding could be utilized to outfit the other two stations, so this care is available to all members of the community.

Mr. Billingsley stated that the Town has not budgeted money for the devices. Though the CARES Act funding has been received, it has not been included within the budget allocation for this year in accordance with the expenditure limitation. He stated that they can review the Fire Budget and remove some items from the budget in order to purchase additional units as well as look for other grants as they become available in the future. This would be at the discretion of the Council.

Mayor Walter stated that it is commendable that the Town was able to get a grant for this device.

Vice-Mayor Anderson stated that the Town could do a fund raiser. He thinks that many people in Sun City would be willing to contribute.

Presentation on upcoming special event activities in Florence by the Community Services Department.

Mr. Hezekiah Allen, Community Services Director, stated that the Community Services Team have come up with innovative ways to continue with programming and traditions that make Florence a great place to live safely.

Mr. Allen state that Covid-19 had a major impact on special events. They have had to work with Center of Disease Control, Arizona Department of Health, Pinal County Health Department, and the Arizona Governor's Office. It is difficult to put all of the information together and create a Safe Action Plan in order to have these events while still meeting all the requirements. This Safe Action Plan is used to give good direction to the partners to facilitate the programs.

Mr. Allen stated the requirements are constantly changing which requires constant changing in planning the events to conform with the new requirements.

Mr. Allen and Ms. Alison Feliz, Recreation Superintendent, provided a presentation in which they outlined special events that have taken place as well as those in the near future. Staff worked on the Halloween event for approximately three months. The requirements changed one month prior to the event which required changes to how the event would take place.

- Town of Florence Fall 2020 Update Community Services Department
- Events during Covid-19
- Event Application Process during COVID-19
 - Governors Executive Order 2020-43:
"Effective June 29, 2020, organized public events of more than 50 people are prohibited unless the city, town or county in unincorporated areas has *approved the event*, and only if *adequate safety precautions are implemented*, including *physical distancing measures*."
- Safety Precautions
 - Each event is submitting a Safety Plan for approval. These plans typically include:
 - Social distancing
 - Masks
 - Hand sanitization stations
 - Touchless vendor checkout
 - Educational outreach prior to event
 - Day-of event signage (six feet, masks, wash hands)
- Upcoming Events
 - Junior Parada Parade - Returning to Tradition, Opening the Gate for 88'
 - Saturday, November 28, 2020 (10:00 a.m. – Noon)
 - Historic Downtown Main Street
 - New this year:
 - Personal viewing locations including on Pinal Street
 - Two announcer booths and additional spectating areas
 - Western flowerbox decorating competition
 - Working with AJRA and Pinal County Mounted Posse to increase horse-drawn entries

- Returning to Tradition:
 - Posie Foster Award for Best Overall Entry
 - * Posie Foster is daughter of Charles Whitlow, who the rodeo grounds is named after.
 - Western Week
 - * Working with Student Council to come up with a theme for each of the week
 - Virtual bond for people not wearing western gear
 - * Will be thrown in jail and will have to have virtual bond to get out
 - Window decorating along Historic Main
- Hometown Holidays
 - Events will take place throughout the month of December 2020
 - Holiday Festivities all month long:
 - Drive in Movie “The Polar Express” – December 4, 2020 (6:00 pm)
 - Vehicle decorating competition
 - Kahoot trivia challenge – Holiday Edition
 - Santa Cruise – December 5, 2020 (9:00 am – 1:00 pm)
 - GPS will have indicate where Santa is at and people can find him along the route
 - House Decorating Competition – will start December 4, 2020
 - Calls from Santa – December 14 – 15, 2020
 - Need to pre-register
 - Flowerbox decorating competition – will start December 4, 2020
 - Enhanced Main Street holiday lighting - Month of December
 - Virtual Jingle Bell Jog – Month of December
- Upcoming Events from partners
 - Historic Florence 3rd Fridays
 - October 16, 2020, November 20, 2020 , December 17, 2020
 - 5:30 PM – 8:00 PM
 - Organizer: Greater Florence Chamber of Commerce
 - Historic Downtown Main Street
 - Vendors
 - Live Music
 - Steak Fry
 - Specials offered from local shops
 - Florence Arts and Culture Festival
 - November 7 – 8, 2020
 - 10:00 AM – 4:00 PM each day
 - Historic Downtown Main Street
 - Organizer: Greater Florence Chamber of Commerce
 - Vendors
 - Artists
 - Live Music
 - Kids Craft Area
 - Veteran’s Day Ceremony
 - November 11, 202

- 8:00 AM – 9:00 AM
- Veteran's Memorial Park and Florence American Legion Post 9
- Organizer: Greater Florence Chamber of Commerce
- Flag Raising Ceremony
- Speakers
- Remembrance
- Proclamation
- Pony Express
 - November 14, 2020
 - 11:00 AM – 12:00 PM
 - Organizer: Gilbert Promotions Corp.
 - Florence, Anthem K-8, and ALA schools invited to write letters to be delivered through Pony Express
 - Library Drop Box as Pony Express Letter drop-off site
 - Public invited to view from their vehicle along Main Street or Parking Space at Town Hall
 - Senior Center picking up stamped letters while delivering home bound meals
- *If submitting a letter for delivery, please ensure proper postage.
- Florence Farmer's Market
 - November 14, 2020, December 12, 2020, January 9, 2021, February 6, 2021 March 13, 2021, and April 10, 2021
 - 8:00 AM - 12:00 Noon
 - Arriola Square
 - Organizer: Greater Florence Chamber of Commerce
 - Fresh produce vendors
 - Acoustic musicians
 - Local hand-crafted artisan products
- Junior Parada Rodeo
 - November 27 – 29, 2020
 - 8:00 AM (start times)
 - Charles Whitlow Rodeo Grounds
 - Organizer: Pinal County Mounted Posse
 - AJRA Sanctioned Rodeo
 - To date, almost 400 contestants
 - Prizes
 - Oldest Junior Rodeo in the Country
- Past Events
 - Arizona Run for the Fallen
 - October 16 – 18, 2020
 - Tribute Run throughout Florence
 - Honor & Remember Organization to remember those who have fallen
 - Florence High School Homecoming Parade
 - October 23, 2020
 - 1:00 PM
 - Organizer: Florence Unified School District
 - Trick-or-Treat Down Main Street

- October 31, 2020
- Virtual Costume Contest!
- Decorated Vehicles
- Planter Box Competition
- Cruise Downtown
- Candy! Candy! Candy!

Mayor Walter commended the staff for their hard work in putting on the events.

Councilmember Larsen inquired how they will market the events and at what point will they continue with the quarterly community booklets and flyers.

Mr. Allen stated that they will continue to advertise digitally, specifically since there are continual changes. They also put out flyers one month prior to the program. There is nothing scheduled as to when they will resume the quarterly booklets. She wants to ensure that the booklets are not permanently gone.

Mayor Walter asked that the presentation be placed on the Town's website.

Proclamation in support of Small Business Saturday urging residents of our community to support small businesses and merchants on Small Business Saturday and throughout the year.

Mayor Walter read the proclamation for the record and proclaimed November 28, 2020 as Small Business Saturday and asked that the community support local business and shop small. She provided a brief background of how Small Business Saturday came to be. She stated that shopping locally helps the local economy and gave examples of how it helps the local economy.

Proclamation in support of November 11, 2020 as Veterans Day in Florence, Arizona.

Mayor Walter stated that Mayor and Council have been invited to participate in the Veterans Day Flag Raising Ceremony. She provided a brief history of how Veterans Day came to be and read the proclamation for the record. She proclaimed November 11, 2020 as Veterans Day. She asked the community continually recognize the veterans for their service.

CONSENT: All items on the consent agenda will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.

- a. **Approval of the Community Development Block Grant Program Subrecipient Agreement between Pinal County, and the Town of Florence, for the Waterline Improvements Project.**

- b. **Approval of the five Returning Stronger Grant applications received, in the amount of \$33,048.07.**
- c. **Approval to enter into Intergovernmental Agreement No. 2020-03 with Pinal County, allowing the Florence Police Department to participate in Arizona Criminal Justice Commission Grant No. DC-21-010 and accept the reimbursement of employee overtime costs and related expenses.**
- d. **Approval of the letter to the Pinal County Department of Health seeking access to Pinal County health data on Florence Covid-19 cases.**
- e. **Approval of accepting the register of demands ending September 30, 2020, in the amount of \$1,602,547.49.**
- f. **Authorization to Intervene in Arizona Corporation Commission proceedings before the Arizona Corporation Commission, in the matter of the Joint Application of Epcor Water Arizona, Inc. ("EPCOR") and Johnson Utilities LLC ("JU") for approval, to transfer the certificates of convenience and necessity of the water and wastewater system assets of JU to EPCOR; Determination of an acquisition premium for the JU water and wastewater system assets; and approval of debt financing for EPCOR.**
- g. **Authorization to Intervene in Arizona Corporation Commission Docket No. WS-02987A-20-0025 the case in the matter of the application of Johnson Utilities, L.L.C., through its Interim Manager, Epcor Water Arizona, Inc. for a determination of the fair value of its water and wastewater utility plant and property, for increases in its rates and charges for water and wastewater utility services, and related approvals.**

Mayor Walter stated that Item b. is removed from the agenda as one of the applications has been revised.

On motion of Councilmember Wall, seconded by Councilmember Cordes, and carried (5-0) to approve the Consent Agenda, as written, with the exception of Items b. f, and g.

- f. **Authorization to Intervene in Arizona Corporation Commission proceedings before the Arizona Corporation Commission, in the matter of the Joint Application of Epcor Water Arizona, Inc. ("EPCOR") and Johnson Utilities LLC ("JU") for approval, to transfer the certificates of convenience and necessity of the water and wastewater system assets of JU to EPCOR; Determination of an acquisition premium for the JU water and wastewater system assets; and approval of debt financing for EPCOR.**
- g. **Authorization to Intervene in Arizona Corporation Commission Docket No. WS-02987A-20-0025 the case in the matter of the application of Johnson Utilities, L.L.C., through its Interim Manager, Epcor Water Arizona, Inc. for a**

determination of the fair value of its water and wastewater utility plant and property, for increases in its rates and charges for water and wastewater utility services, and related approvals.

Vice-Mayor Anderson stated that both items are under consideration by the Arizona Corporation Commission. He suggested that both items be tabled to a later date.

Mr. Brent Billingsley, Town Manager, stated that Item f. involves a petition regarding the sales document that has been filed with the Arizona Corporation Commission. The sale agreement between Epcor and Johnson Utilities needs to go before the Arizona Corporation Commission for approval. This case has started, and the goal is for the purchase to be approved before January 1, 2021.

Mr. Billingsley stated that Item g. was previously filed, and it is regarding the rate case that has been ongoing for quite some time. The Town has already intervened and has been tracking the case which has been suspended because of the sale docket. There is no longer a set schedule and staff anticipates a procedural order by the end of year, but it is depended on the sale docket. This case may then move forward. The next opportunity for a procedural update with respect to the rate case is November 24, 2020. If the Town were to intervene in the sale docket, the Town would need to intervene by November 6, 2020.

On motion of Councilmember Wall, seconded by Vice-Mayor Anderson, and carried (5-0) to table Items f. and g.

Approval of the five Returning Stronger Grant applications received, in the amount of \$33,048.07.

Mr. Ben Bitter, Intergovernmental and Communications Manager, stated that the as the panel reviewed the applications, they found that there is additional money that the Town can provide to one of the applicants; however, they will need to provide additional documentation. Staff is asking for the Council to remove Pinal County Uniforms, along with the amount of \$26,419.06 from the applications to be awarded at this time. The goal is to bring the application back for approval at the next Council meeting. The other four applications can continue to move forward. The revised amount for the four applications is \$26,619.01.

On motion of Councilmember Wall, seconded by Councilmember Cordes, and carried (5-0) to approve the Returning Stronger Grant Applications, with the removal of Pinal County Uniforms.

NEW BUSINESS

Discussion and possible action on the modification of the Florence Returning Stronger Grant Program.

Mayor Walter provided a brief history of how the Florence Returning Stronger Grant Program came to be and its purpose. The final result is for eligible businesses, non-profits and food banks to be able to receive reimbursements of up to \$10,000 for PPE, physical equipment, modification costs that enhance the safety of visitors and staff of their assistance in protecting public health during the Covid-19 pandemic.

Mayor Walter stated the program would provide with community funding up to \$500,000 which could be increased at a later date. Brick-and-mortar businesses would also be eligible for up to six months of reimbursement for rent, mortgage, water, sewer, electricity, utility costs for the months of March through August.

Mayor Walter stated that the funding is on a first-come first-serve basis until the maximum amount of \$500,000 is reached. Council is able to adjust the maximum amount on the program if the demand justifies the increase. She stated that in Florence 63 small businesses that have already received payroll protection program forgivable loans of up to \$150,000 and one Florence business who received a loan of between \$150,000 and \$300,000. These businesses range from non-profit organizations to LLCs, independent contractors, and self-employed businesses. At this time, the Town does not have the data on how many have applied for or received economic injury disaster loans or other SBA grants or loans. Applicants would be required to sign the affidavit certifying that they have not received other federal costs to cover the cost which they are requesting reimbursement. Businesses would have until October 32, 2020 to apply for reimbursement of these expenses and the application is attached

Mr. Ben Bitter, Intergovernmental and Communications Manager stated that the Town has provided approximately \$138,000 in grants to date.

Mayor Walter stated that Council would like to discuss extending the program since the full \$500,000 has not been expended and the deadline has since passed.

Councilmember Cordes stated that she would like to extend the program to allow businesses more time to apply. Some businesses are not clear on what is a qualifying reimbursable item and are hesitant to apply. The Covid-19 numbers on the rise again and everyone is still seeing the impacts from the pandemic. She is encouraging all businesses to apply even if it is for a small amount.

Vice-Mayor Anderson stated that he would also like to see the deadline extended as well as increasing the amount to \$20,000. He would also like clarifications on non-profits as there seems to be some confusion if they would qualify, what they need to do to apply and the limitations on non-profits versus regular businesses.

Mayor Walter stated that she concurs with Vice-Mayor Anderson and Councilmember Cordes.

Councilmember Larsen stated that she would like to see the deadline extended, possibly though year end. She expressed concern that there are not more non-profits who have

applied especially knowing how much our non-profits did during the pandemic. She requested further discussion about what the differences are. She would also like to ensure that the public is aware that non-profits can apply.

Councilmember Larsen stated that she does not think that the \$500,000 needs to be increased at this time since \$138,000 is all that has been allocated to date. She stated that they can discuss raising the amount if they approach expending the full allocation. She also thinks the \$10,000 cap is fine as this will allow them to spread the funding across more businesses and non-profits.

Councilmember Wall stated that she does not have an issue with extending the deadline. She would like to see more businesses apply. She inquired of Mr. Bitter if extending the deadline would pose an issue with the reporting requirements.

Mr. Bitter stated that they could extend the deadline. Staff's thought process behind the deadline was because the Council was taking a legislative action. If staff closed the deadline, they would be able to get through each of those items by the end of the calendar year. Council typically has one meeting in December and this would create a challenge if we extended that deadline beyond that point. Council could direct staff however they so choose, and staff will do its best to comply with every single facet of the program.

Councilmember Wall inquired if there is any reason why the deadline could not be extended until the end of the year.

Mr. Bitter stated that the CARES Act funding must be expended under federal guidelines by December 31st and there has not been an extension. The Town used the CARES fund to pay for public safety costs and were effectively reimbursed for those costs under public safety. The funds that we received were used to create a grant program. Since the Town is utilizing general fund dollars, Council could extend the grant deadline how it sees fit.

Councilmember Wall stated that she has echoed the same concerns about non-profits and them being excluded from reimbursement for utilities. She asked that the Town Attorney address that concern as well.

Mr. Clifford L. Mattice, Town Attorney, stated that the program is unprecedented. The program is different than the federal program because the Town is using General Fund money. The distinction between the non-profit and private business is Council's prerogative to not make that distinction. He reminded Council that if the money or grant program is available to all non-profits it would include religious institutions as well.

Mr. Mattice stated that there are some different constitutional considerations that can be discussed in greater detail in Executive Session if the Council so chooses. Within the First Amendment there is a distinction between the establishment clause and free exercise clause and the Town is walking the line with what to do to comply with both of those clauses. This is a scenario that has not existed before; however, if there is a program that is available to a private business such as the grant program and it is also

available to non-profits then there is a good argument constitutionally it should be available to all non-profits including religious institutions.

Councilmember Larsen stated that she does not see why it would have to be discussed in Executive Session and would prefer to have the conversation on the floor.

Councilmember Wall stated that churches have suffered just as much from Covid because they have not been able to hold services. It would be safe to assume that they are not receiving the contributions that they would normally receive to pay their bills. She stated that she does not see an issue with including religious organizations so long as they are a legitimate non-profit.

Mayor Walter stated that they should be included since they have the same designation as a 501(c)3. She inquired if there is any reason why they could not move forward with extending the deadline since it is the consensus of the Council to extend it. She proposed extending the deadline to November 28, 2020. Council can have further discussion closer to that date. She stated that she is in agreement with increasing the amount up to \$20,000

Vice-Mayor Anderson stated that he would like the deadline to be amended to coincide with the rental agreements at Silver King Marketplace because they are receiving a break due to the pandemic.

Mayor Walter stated that the extension is through July 2021.

Councilmember Cordes questioned extending the deadline through July 2021. The occupants of the Silver King Marketplace were not provided a discount but rather Council elected not to implement the new lease rate. She would prefer that the extension be through November or December at the latest. She inquired if rather than extending the date if they could extend the length of time for each applicant so they each receive the same amount of time in which to apply.

Councilmember Cordes inquired if the loss of tithing would be considered reimbursable since it is a loss to their revenue; though she does not believe it should be considered. She inquired if they can legally ask for the loss of tithing to be considered.

Mayor Walter stated that she is not aware that anyone is requesting to have their tithing be reimbursed. Some organizations have requested reimbursement for their rent and utilities. It is coverages that are very much in line with other businesses and other non-profits.

Councilmember Cordes stated that she was looking at revenue and donations as being the same and understood that you are unable to reimburse for loss of revenue.

Councilmember Larsen stated that the Town is unable to reimburse for loss revenue. The Town is not focused on the tithing and how much tithe that they would normally receive. but rather on utilities and the rent that they would have normally incurred.

Mr. Brent Billingsley, Town Manager, stated that if Council would like to extend the deadline, they can make a motion to approve the program as it stands. But the intent is to take the comments received from the Councilmembers and to assemble something for approval at the next Council meeting. There is research that needs to be occur and the program documents have to be modified. He suggested that an executive session be help prior to the start of the Council meeting so that the Town Attorney can discuss with Council some of the complications having to do with the first amendment and separation of church and state.

Councilmember Cordes inquired if they will be selecting a date to extend the program to or will the date be determined at a different meeting.

Mr. Billingsley stated that the discussion held at this Council meeting will direct staff on how to proceed and what to bring forth at the next Council meeting.

Ms. Lisa Garcia, Town Clerk asked for clarification on the Council's direction. At this time there has not been a consensus. She asked that Council have further discussion and provide a directive on how staff is to proceed.

Mayor Walter inquired of Council if they would like the deadline to be extended to November 28th or December 31st.

Ms. Garcia stated that November 16th is the Council's next meeting. She asked Council to consider a date for applications to be submitted that will allow staff more time to advertise whatever it is that Council decides to do and still be able to process those applications.

Mayor Walter inquired if Council is unable to make adjustments to our Returning Stronger Grant Program tonight because the way that this is agendized because of the way it is worded.

Ms. Garcia stated that if Council were to have the program remain status quo and were only to extend the deadline, they could make a motion to do so; however, if Council is asking staff to modify the program staff wants to ensure that the modifications are done legally while safeguarding the Town. She stated that staff received comments from Council that they were unclear regarding non-profits, what the program was, and did not have an understanding of how it was adopted it on the floor. Staff wants to ensure that the modifications be done correctly.

Mayor Walter inquired if it would be best to have two separate motions. One motion would be specific to extending the deadline of the program that we currently have, and the second would be to have future worksessions/discussion in regard to the amount and the non-profit (inaudible).

Ms. Garcia asked for clarification as to whether Council would prefer to bring it back to a work session rather than for adoption.

Mayor Walter stated that she is fine with a work session. She asked Council for their preference.

Vice-Mayor Anderson stated the amount should be extended if the timeframe is to be extended. This will allow those who previously received the maximum funding to apply for additional funding for the months that the period was extended through.

Mayor Walter stated that she agrees with Vice-Mayor Anderson. She clarified that if she understood Ms. Garcia correctly, at this meeting, Council could proceed with keeping the program status quo and extend the deadline, but then also schedule a future agenda item to discuss the amount and the non-profits.

Ms. Garcia explained that the purpose of tonight's agenda item is to gain consensus of what the Council would like. If Council advises staff that their intent is to extend the amount to \$20,000, add non-profits and add utilities for non-profits, then staff will have a clear understanding of what it is that Council is requesting and can amend the program to the Council's directive.

Mr. Bitter stated a better way may be to modify the program based on rounds. For example, the initial program was what has been done to date. Round Two would be any further action. The grant program could be renamed. Council can go through the entire program and define the terms. He stated that the easiest way may be to bifurcate the two and call them Grant A and Grant B which will be based on the terms and conditions that the Council will decide at the next meeting.

Councilmember Cordes inquired how many have yet to apply.

Mr. Bitter stated that they have had 37 applicants to date. They are receiving more applications as the deadline nears. There are approximately 12 applications in que for review at this time.

Councilmember Cordes inquired if the remaining balance within the fund will be approximately \$300,000 after all applications are processed.

Mr. Bitter stated that the average grant has been approximately \$6,000 per applicant. The awarded amount will be approximately \$200,000 to \$215,000.

Councilmember Cordes stated that if the deadline and amount were to be extended, it is likely that the Town could award the full \$500,000.

Mr. Bitter stated that the current program runs March through August. Staff wants to ensure that the standards are aligning with what changes Council is requesting. Staff recommends that the requested changes be brought before Council at the next meeting.

Councilmember Wall stated that it may simplify the situation if a motion can be made to extend the application deadline to the end of November. This would allow Council more time to provide input, Council could then proceed with individual suggestions and provide staff direction before we leave this topic.

Councilmember Cordes inquired if the deadline can be modified again at the November 16th meeting should Council want to extend the deadline further.

Councilmember Wall stated that the extension will allow people to apply under the existing program through the end of November and then continue this discussion and provide staff direction.

Mayor Walter stated that there is a motion and second on the floor to extend the date through November. Council is then to provide feedback to staff. Staff will present at the November 16th meeting about the additional money and/or non-profit clarifications.

Councilmember Wall clarified that her motion was to extend the existing program through the end of November.

Mayor Walter seconded the motion.

Mayor Walter asked Council to provide their specific feedback to staff and asked Staff to present at the November 16th Council meeting regarding the increase in the amount and/or clarification of non-profit, further extension of the time and whatever feedback they wish to provide.

Councilmember Cordes inquired if Council were going to receive clarification on the not-profit, and if so, how would that clarification be made to Council. She wants to ensure that Council understands so that they understand what their recommendation should be to those type of organizations.

Mr. Mattice stated that he recommends that Council have an executive session on the mater.

Ms. Garcia stated that staff can schedule an executive session for November 9th.

Mayor Walter inquired if the topic can be discussed on the floor rather than in executive session.

Ms. Garcia explained that the legal component will be held in Executive Session. She inquired if Council would like a work session following the executive session.

Mayor Walter stated that she would prefer a work session be scheduled as well.

Ms. Garcia stated that she will schedule an executive session followed by a work session.

Councilmember Cordes inquired what the legal basis is for having an executive session. She does not understand why the conversation cannot be held on the floor so the public hears the same reasoning as the Council, and they will understand why Council is unable to do something.

Mr. Mattice stated that he does not mind sharing some of his ideas in public; however, they may have applications that will be submitted that could be affected by some of those decisions. Some of the areas to be discussed are constitutional issues and they are complex, specifically when discussing the establishment clause and free exercise laws.

Mr. Mattice stated that he is more comfortable talking with the Council in a legal capacity privately. Council can make their decision publicly. The discussions held in executive session will remain attorney/client privileged and if he provides detailed legal advice in the public form, it is not privileged as his client.

Councilmember Larsen stated that her preference will be for discussion on the floor rather than it be held in an executive session. She stated that the public needs to know why Council is able and prohibited from taking action. She wants to be transparent; however, she understands that there may be specific topics that must be held in executive session such as discussing specific applicants, but she would prefer that an explanation be provided on the floor.

Mayor Walter inquired of Mr. Mattice if explanations regarding the basis of going into executive session be provided on the floor.

Vice-Mayor Anderson asked for clarification as to the order of business at the next Council meeting.

Mr. Mattice stated that Council will have an executive session first and then they can have discussion on the floor, if this is how Council wishes to proceed.

Vice-Mayor Anderson stated they have two different situations with regards to non-profits, such as places like the Greater Florence Woman's Club and churches. He inquired if the rules would apply uniformly.

Mayor Walter asked Council to redirect their questions to the upcoming November 16th meeting. She asked that Council forward their questions to staff as normal protocol.

Ms. Garcia clarified that the meeting will be November 9th.

On motion of Councilmember Wall, seconded by Mayor Walter, and carried (5-0) to extend the deadline of the Florence Returning Stronger Grant Program to November 30, 2020.

Discussion and possible action on a Town of Florence mask requirement.

Mayor Walter stated that this item has been requested by Vice-Mayor Anderson, with Councilmember Cordes' support. Staff has prepared two proclamations for consideration. The first is for masks to be worn within Town limits. The second is for masks to be worn at special events.

Vice-Mayor Anderson stated that his request is for masks to be worn, as well as social distancing, in the public areas. The Covid-19 cases within the Town are on the rise again, with the second wave happening. Our numbers are at a record high. There are approximately 100,000 new cases nationwide on a daily basis. Mr. Billingsley notified the Council that Pinal County had 2,000 new cases over the weekend. Governor Ducey and the Arizona Department of Health Services emphasized masks and social distancing. The Town needs to address this issue. He noted that this is a safety issue and not a political issue.

Vice-Mayor Anderson stated that people have cited violation of their basic freedom or infringement of their rights by requiring them to wear masks. He stated that this requirement would be no different than a speed requirement, have liability insurance or requiring that they obtain a driver's license. They are all for the safety and protection of the public.

Vice-Mayor Anderson stated that he is pleased with the efforts being made by our Parks and Recreation team regarding their special events. He believes the Town should require people to wear masks when walking throughout Town. He is in support of opening back up and the best way to do so is to wear masks and practice social distancing. He suggested that this be properly advertised, and notices be posted throughout Town. This would eliminate extra postings that need to be done for the special events. This will show the business owners and the public that the Town supports re-opening and doing so safely and are taking positive action to do so. He also suggested that the Town do some type of campaign that shows that Town is opening back up and are doing so safely.

Councilmember Larsen stated that the conversation is premature and long overdue. She stated that she has continually requested real and accurate data regarding the Covid-19 numbers for Florence and have yet to do so. She stated that accurate data needs to be obtained before the Town can make any decisions or write any policies. She stated that it is premature to take any action until the accurate information is received.

Councilmember Larsen expressed her frustration regarding not being able to obtain accurate information so that the Council can make informed decisions. She preferred that the item be tabled until such time that accurate data is received.

Councilmember Larsen stated that the data should include the Covid-19 positivity numbers for the prison population as well as the numbers for the general public within the Town of Florence.

Councilmember Wall stated that she too agrees that the Town has not received accurate data. She disagrees that the Town should issue a proclamation demanding that the citizens wear masks within the Town. There is no concrete data that indicates that masks are needed in our community. She stated the Town is late in the game asking the citizens to do this. Furthermore, many cities and towns are rescinding the requirement because it is impossible to enforce. She stated that the questions remain if this is even defensible. There are many other questions that remain unanswered.

Councilmember Wall stated that the proclamation indicates that the Town will educate the public and inquired who will be doing the education. She also asked how business owners will enforce this within their respective businesses. There are many reported altercations nationwide with people trying to enforce the mask requirement. She noted the verbiage in the Governor's Executive Order regarding the Town's ability to have face mask requirements. In part it also states that the individual shall be notified of this order or any policies adopted by a county, city or town and given an opportunity to comply prior to any enforcement or action being taken. She stated the Town is not in any position to enforce any action. The Town's Police Department is not staffed for this. It is asking the public to tell on each other and to take chances that they should not be asked to take. The consequences for non-compliance are non-manageable.

Councilmember Wall stated that she takes personal responsibility for her own health and those around her. She wears masks and believes it is everyone's personal responsibility and should not be required.

Councilmember Cordes stated that she echoes Councilmember Wall and Councilmember Larsen's sentiments. She stated it seems impossible to get the necessary data, as HIPAA is always cited as the reason for inaccurate Covid-19 positivity cases. She is opposed to putting the Town employees at risk of confrontation. She stated that when a rule is made, the expectation is that everyone must abide by that rule. People tend to get confrontational when someone is not adhering to the rule; even without knowing the reason(s) for not complying, such as something health related. Someone may have an invisible illness and she does not want to put someone in a position where they have to defend their actions of not wearing a mask to anyone.

Councilmember Cordes stated that not all businesses support mask mandates and would not be supporting our businesses by requiring the mask mandate. She stated that her research has shown that masks are not required if you are practicing social distancing. Councilmember Cordes stated that she does not have an issue wearing a mask but wants a choice in when she should wear a mask. She stated that it should be a personal choice.

Councilmember Larsen asked if it is possible for signs to be posted stating that wearing masks is recommended. She stated that it would not be costly and would show the public that they support masks be worn. She stated this would be an amicable solution.

Vice-Mayor Anderson stated that he is not opposed to changing the verbiage from required to recommended. He would like the Town to have some type of official sign that

can placed throughout Town promoting the usage of masks and social distancing. Businesses who would support wearing of masks can post the sign in their businesses. The proclamation does address exceptions to the mask mandates, specifically those with medical conditions.

Councilmember Larsen stated that the mask up Arizona signs are already posted.

Mayor Walter stated that Mr. Bitter has designed and posted signs throughout the Town owned facilities. All businesses were provided the same graphic and it is their discretion if they choose to post the signage or have the mask requirement for their business.

Mayor Walter read a statement that she issued regarding Covid-19 in April 2020, which stated "The Town is strongly encouraging and requesting residents to wear masks when social distancing is not possible. I believe in ensuring that people have accurate and correct information, with the ability to make informed decisions. Also, wearing a mask is a small thing that each of us can do to protect the most vulnerable to our community. The Governor said that he would like to see every Arizonan wear a mask. I too would like to see us Florencians wear a mask, especially when unable to socially distance from others around us. As a reminder, all of Arizona's businesses, non-profits, and institutions are required to establish these new and updated guidelines for our well-being, per Governor Ducey. As always, we will continue to monitor and communicate our Covid-19 cases/information, in addition to any pertinent information."

Mayor Walter stated that she partnered with other Mayors throughout the State to where they wanted to obtain specific data for their communities. They were able to obtain the data by zip code. It was a difficult challenge; however, they were finally able to provide the information by zip code. There is still an ongoing issue, and this has been communicated because of the Town's unique population. The prison population is included in the zip code tally and it is difficult to decipher the total number for the prison population verses the general population. The Town needs a comprehensive break down of the totals. She stated that it is important that we need to follow through if there are mandates; and this is not feasible.

Vice-Mayor Anderson stated that he would prefer to amend his request to be recommend masks instead of mandate masks.

Councilmember Larsen read an excerpt from the letter being sent to Pinal County, which states "Recently, Pima County set a new bar for data sharing during the COVID-19 pandemic. Their new data dashboard allows the public to drill down case information to the Census Tract level. With Florence's correctional institutions now separated into their own tracts for the 2020 Census, providing data on the Census Tract level would provide the Town with useful and actionable information. This could allow for a quicker economic recovery, as cases that are confined to the correctional facilities could be filtered out of the daily case count provided by the Arizona Department of Health Services. Even if the County Health Department could provide daily reports on the number of inmates at each

facility that have contracted the disease, this could provide the Town with enough information to further enhance economic activity within the region.

Our neighbors are providing information about cases in jails. Maricopa County has reported this information on a dashboard, even providing regularly updated information about the number of active cases that they are seeing within their facilities. Clearly, if other Arizona communities are providing this data, Pinal County can, too.”

Councilmember Larsen state that she is frustrated that Pinal County has the ability to provide the information to Pinal County; however, it chooses not to.

Vice-Mayor Anderson stated that he is also disappointed that the Town has not received accurate data. It was his understanding that Mr. Billingsley had received the data at one point.

Mr. Billingsley explained that the Town now received accurate figures from the State prison; however, the Town does not receive accurate figures from the other prison facilities, specifically when they are compared to those received from Pinal County. Mr. Bitter now compiles the totals on a daily basis and does a comprehensive analysis to provide better data.

Councilmember Cordes inquired if any action is necessary since the Town has already issued a recommendation in the past.

Mayor Walter stated that motion would die on the floor if no one seconds the motion.

On motion of Vice-Mayor Anderson for a proclamation on the Town of Florence mask requirement. Motion died for lack of a second.

MANAGER’S REPORT

Mr. Billingsley stated that saw an increase of 56.7% in number of single-family building permits over the same period last year. In August, Florence issued 76 SFR permits, the second highest total ever recorded in Florence, and is continuing at a pace well ahead of the Arizona and Pinal County economy.

Mr. Billingsley state that the Town has been working with Pinal County on a Community Development Block Grant for a water line project. The proposed waterline improvements project will increase the size of existing water lines, add new waterlines, and create a loop resulting in increased water flow and pressure to fire hydrants. Improvements will include:

- Installation of fire hydrants
- 8-inch water main within 11th Street and a portion of North Pinal Street,
- 12-inch water line within East 13th Street and a portion of North Pinal Street
- Water service improvements to the area north of Florence High School and south of Adamsville Road include installation of a new section of 8-inch water line within Willow Street and installation of one fire hydrant.

Mr. Billingsley stated this will also help with economic development opportunities in key areas. Pinal County has allocated over \$800,000 of their CDBG funds for this project with the Town. This will help with the fire flows to their new facilities. This item was approved the Agreement Letter between Pinal County and the Town at tonight's Council meeting. The next item to come before Council will be the construction contract to do the work.

Vice-Mayor Anderson requested a map depicting the improvements be provided.

ADJOURNMENT DEPARTMENT REPORTS

Community Development

Community Services

Courts

Finance

Fire

Police

The Department Reports were received and filed.

CALL TO THE PUBLIC

Mr. Jose Maldonado, American Legion Commander, thanked the Council for approving their Veterans Day event. He invited the public to the Pinal County Veterans Day 2020 Stand Down on November 7, 2020 at the National Guard Transition Center in Coolidge Arizona . The event was originally scheduled for March and was cancelled due to Covid-19. They will be offering a variety of services to veterans.

Mr. Maldonado asked that the Council consider lessening the restrictions for non-profits for the Florence Growing Stronger Grant. His entity was disqualified because they received funding from Pinal County.

Mayor Walter inquired if they received more than \$10,000 from Pinal County.

Mr. Maldonado stated that hey received over \$10,000 from Pinal County.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Councilmember Larsen thanked everyone for the discussions on the topics. She thanked Mr. Bitter for his letter to Pinal County. She wished the letter were done sooner. She stated that she is passionate about having accurate data when considering policy. She thanked the Community Services for a great Halloween event. She asked everyone to be mindful of one another. She reminded everyone that tomorrow is election day.

Councilmember Wall reminded everyone to cast their vote. She thanked the Community Services for their report and for the events. She thinks Florence is on the right track for opening up. She asked for everyone to remember the veterans and support the Veteran's Day event.

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Councilmember Cordes stated that tomorrow is election day, and everyone still needs to work together. She was saddened to see businesses boarding up their windows in anticipation of what could happen on election day nationwide. She asked that people be aware that children are watching the adult's behavior. Florence has never had these types of issues, but it is sad to see it happening in the larger cities across the country. She reminded everyone to check their neighbors; it may be especially difficult during the holiday season.

Vice-Mayor Anderson thanked the Council for the dialogue regarding the mask proclamation. He stated that the local citizens group is collecting toys and turkeys. Florence has a lot to be proud of.

Mayor Walter stated that Florence has a lot to be thankful for in Town. The Town continues to grow and expand. Staff is planning events, even though the format may be different. She stated that she appreciates the dialogue and bringing the different perspectives with regards to various topics. She was excited to see the Town receiving a grant, which was an innovative way in receiving the grant.

Mayor Walter stated that the staff is creative in ways to conduct events. She reminded everyone to be kind and graceful tomorrow, specifically, because of the election.

ADJOURN TO A JOINT EXECUTIVE SESSION WITH THE MERRILL RANCH COMMUNITY FACILITY DISTRICT NO. 1 :

For the purposes of discussions or consultations with designated representatives of the public body and/or legal counsel pursuant to A.R.S. Sections 38-431.03 (A)(3) and (A)(4) to consider its position and instruct its representatives and/or attorneys regarding pending claims against the Town of Florence and Merrill Ranch Community Facility District 1 filed by Harrison Merrill.

On motion of Vice-Mayor Anderson, seconded by Councilmember Cordes, and carried (5-0) to adjourn to Executive Session.

ADJOURN TO MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

On motion of Boardmember Larsen, seconded by Vice-Chairman Anderson, and carried to adjourn to Executive Session.

ROLL CALL:

Present: Tara Walter, John Anderson, Karen Wall, Kristen Larsen,
Michelle Cordes

Absent: Judy Hughes

Due to technological issues, there was a loss of the quorum and the meeting was automatically adjourned at 9:17 p.m.

ADJOURNMENT TO A JOINT EXECUTIVE SESSION WITH THE FLORENCE TOWN COUNCIL

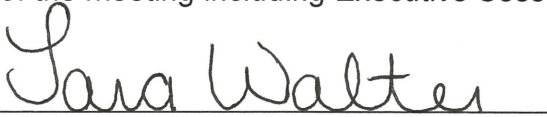
For the purposes of discussions or consultations with designated representatives of the public body and/or legal counsel pursuant to A.R.S. Sections 38-431.03 (A)(3) and (A)(4) to consider its position and instruct its representatives and/or attorneys regarding pending claims against the Town of Florence and Merrill Ranch Community Facility District 1 filed by Harrison Merrill.

ADJOURNMENT FROM THE JOINT MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 EXECUTIVE SESSION

ADJOURN FROM THE MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 MEETING

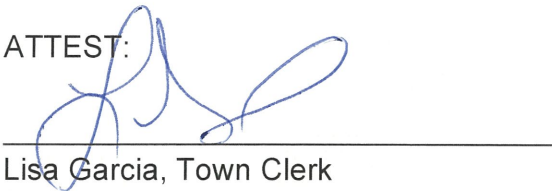
TOWN COUNCIL ADJOURNMENT FROM THE JOINT MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 EXECUTIVE SESSION.

Council may go into Executive Session at any time during the meeting for the purpose of obtaining legal advice from the Town's Attorney(s) on any of the agenda items pursuant to A.R.S. § 38-431.03(A)(3). One or more members of Council may appear for part or all of the meeting including Executive Session telephonically.



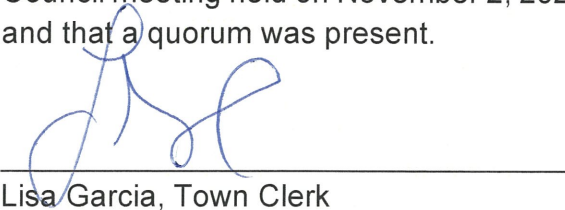
Tara Walter, Mayor

ATTEST:



Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on November 2, 2020, and that the meeting was duly called to order and that a quorum was present.



Lisa Garcia, Town Clerk

